Favorable reconsideration and withdrawal of the rejections set forth in the final Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Status of the Claims

Claims 1-10 are pending with Claims 1, 9 and 10 being independent. Claims 1-10 have been amended. Support for the claim changes can be found in the original disclosure, for example, in Figs. 1-9 and the accompanying disclosure, and therefore no new matter has been added.

Claim Rejections

Claims 1, 2 and 6-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0122202 (Nagishima) in combination with U.S. Patent No. 6,751,352 (Baharav et al.). Claims 3-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagishima in combination with U.S. Patent No. 5,227,893 (Ett).

Statement of Substance of Interview

Applicant gratefully acknowledges the courtesies extended by the Examiner to Applicant's representative in the telephone interview conducted on August 31, 2011.

In the interview Applicant's representative discussed proposed amendments to independent Claim 1. In addition, Applicant's representative discussed the specific embodiment

shown in Figs. 1-9.[1] More specifically, Applicant's representative explained that this embodiment addresses the phenomenon that original printed documents are often copied or transmitted for distribution at meetings, and the copied or transmitted copies are often further copied and redistributed, resulting in a loss of quality as copies of copies are repeatedly copied. Moreover, this phenomenon occurs in offices having multi-function copying apparatuses that can operate in both a copy mode to scan an original printed document and then print the scanned image of the original, and a transmission mode to scan the original printed document and then transmit the scanned image to a remote location. In both cases, a loss in quality occurs as a result of the scanning of the original printed document.

To solve this problem, the embodiment shown in Figs. 1-9 prints a specific kind of original printed document for distribution via copying and/or transmission by a multi-function copying apparatus — an original printed document having a bar code, as shown in Fig. 8. This kind of original printed document is not susceptible to the loss in quality when copies of copies are made thereof if the apparatus that scans this original is the apparatus shown in Figs. 1-9. The reason for this lack of deterioration of quality when using the apparatus shown in Figs. 1-9 is that after the original printed document is scanned, the apparatus does not print or transmit the scanned image. Instead, the apparatus prints a stored image that was previously generated digitally from the application data that generated the original printed document. As a result, what is printed is identical in quality to the original printed document. And what is transmitted is the application data that digitally generated the image data of the original printed document, also preserving the quality of the data that is transmitted.

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[1] It should be understood that the claims are not limited to the specific examples and embodiments discussed here and in the specification.

This printing and transmission regimen depends on using original printed documents having a bar code that represents common index data that the multi-function copying apparatus of Figs. 1-9 uses a) to locate the application data that created the original printed document, and b) to locate stored image data, previously generated from the application data, that also generated the original printed document. Since this image data was generated from the application data digitally, it does not suffer the deterioration suffered when the original printed document is scanned and printed. And the located application data also does not suffer the deterioration suffered by scanning since it was previously copied digitally and stored in the apparatus.

As a result, when the original printed document is scanned, at least two possible outcomes occur. First, if the apparatus is set in the copy mode, the already-stored image data corresponding to the scanned image is retrieved from storage and printed (hence, the stored image data can also be called print data). Second, if the apparatus is set in the transmission mode, the already-stored application data that corresponds to the scanned image is retrieved from storage and transmitted via email or fax for distribution. Retrieval of the print data and application data that correspond to the scanned original printed document is possible because the print data and application data are stored in the apparatus with a common index that corresponds to the bar code. As a result, when the apparatus reads the bar code, it retrieves either the corresponding print data or application data, depending on whether the apparatus is in the printing mode or the transmission mode.

Accordingly, Applicant explained in the interview, that he proposed amending Claim 1 to recite a) a storage unit that stores both application data and print data with a common index, the application data being converted into print data suitable for printing, b) an accepting unit

configured to accept information indicating the common index, and c) a control unit configured to:

- when a designation unit designates the transmitting process as the data output method, select the application data among both the application data and the print data in the storage unit with the common index indicated by the accepted information and control the transmitting unit to transmit the selected application data without converting the selected application data into the print data; and

- when the designation unit designates the printing process as the data output method, select the print data among both the application data and the print data in the storage unit with the common index indicated by the accepted information and control the printing unit to print, without converting the application data into the print data after the designation unit designates the printing process, an image based on the selected print data.

Applicant also pointed out at the interview that neither the Nagishima citation, nor the Baharav et al. citation was understood to disclose or suggest any such features or to recognize the specific problem solved thereby. In response, the Examiner indicated that if such an amendment was made, it would appear to overcome the outstanding rejections, although the Examiner reserved the right to study the matter further upon receiving the formal amendment and consulting with his supervisor.

Response to Claim Rejections

In response, while not conceding the propriety of the rejections, independent Claim 1, 9 and 10 have been amended, apparatus Claim 1 being amended in the manner proposed at the interview, and method and medium Claims 9 and 10 being amended in a corresponding manner. Applicant submits that as amended, these claims are allowable for the following reasons.

Amended Claim 1 relates to an image processing apparatus comprising a storage unit configured to store both application data and print data with a common index, the application

data being created by predetermined application software and being converted into the print data suitable for printing, a transmitting unit configured to transmit data to an external apparatus, a printing unit configured to print an image on a sheet based on the print data, a designation unit configured to designate one of a transmitting process and a printing process as a data output method, an accepting unit configured to accept information indicating the common index of data to be output by the designated data output method, and a control unit. The control unit is configured to, when the designation unit designates the transmitting process as the data output method, select the application data among both the application data and the print data in the storage unit with the common index indicated by the accepted information and control the transmitting unit to transmit the selected application data without converting the selected application data into the print data, and, when the designation unit designates the printing process as the data output method, select the print data among both the application data and the print data in the storage unit with the common index indicated by the accepted information and control the printing unit to print, without converting the application data into the print data after the designation unit designates the printing process, an image based on the selected print data.

By this arrangement, an image processing apparatus can be provided that stores application and print data with a common index in a storage unit and in response to the designation of either transmission or printing, transmits the application data or prints the print data, both without converting the application data to print data.

In contrast, the citations to <u>Nagashima</u> and <u>Baharav</u> are not understood to disclose the concept of an image processing apparatus that stores application and print data with a common index in a storage unit and in response to the designation of either transmission or printing,

transmits the application data or prints the print data, both without converting the application data to print data.

Therefore, these citations are not understood to disclose or suggest a) a storage unit configured to store both application data and print data with a common index, the application data being created by predetermined application software and being converted into the print data suitable for printing, b) that when the transmitting process is designated as the data output method, the control unit selects the application data among both the application data and the print data in the storage unit with the common index and controls the transmitting unit to transmit the selected application data without converting the selected application data into the print data, and c) that when the printing process is designated as the data output method, the control unit selects the print data among both the application data and the print data in the storage unit with the common index and controls the printing unit to print an image based on the selected print data, without converting the application data into the print data after a designation unit designates the printing process, as recited by amended Claim 1.

Rather, the Nagashima citation is understood to merely disclose a conventional image processing apparatus that: registers a coversheet template in a database (S501); selects whether or not to use the coversheet template (S505); when it is selected to use the coversheet template, generates a coversheet based on a selected coversheet template (S509); modifies print data generated by an application so as to comply with a specification of a printer driver (S511); outputs the modified print data to a printer with the generated coversheet as necessary (S511); and performs a printing process by the printer or a transmitting process based on the output print data (S511). However, the Nagashima citation is not understood to disclose or suggest the concept of selecting a piece of data from among a plurality of pieces of data with a common

index in accordance with designation of the transmitting process or the printing process. As a result, this citation is not understood to disclose or suggest that when the transmitting process is designated, the application data is selected from among both the application data and the printing data with a common index, which are stored in a storage unit, and the selected application data is transmitted without converting the selected application data into the print data, or when the printing process is designated, the print data is selected, and an image based on the selected print data is printed without converting the application data into the print data after the printing process is designated. Further, the Baharav et al. citation is also not understood to disclose or suggest these claimed features.

Since amended Claim 1 recites at least one feature not disclosed or suggested by the citations to Nagishima and Baharav et al., Applicant submits that the Office has not yet satisfied its burden of proof to establish a prima facie case of obviousness against Claim 1. Therefore, Applicant respectfully requests that the rejection of amended Claim 1 be withdrawn. And because corresponding method and medium Claims 9 and 10 have been amended in a corresponding manner, they are allowable for corresponding reasons. Therefore, Applicant respectfully requests that the rejection of amended Claims 9 and 10 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are allowable over the art of record, and that the application is in condition for allowance.

Favorable reconsideration and early passage to issue of the application are earnestly solicited.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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